

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DEANGELO A. JACKSON,

Plaintiff,

v.

**Civil Action 2:13-cv-239
Judge Judge C. Smith
Magistrate Judge Deavers**

RICHARD A. FRYE, *et al.*,

Defendants.

ORDER

This matter is before the Court for consideration of the United States Magistrate Judge's May 9, 2013 Report and Recommendation. (ECF No. 5). The Magistrate Judge conducted an initial screen of Plaintiff's Complaint as required by 28 U.S.C. § 1915(e)(2) and recommended that the Court dismiss this action for failure to state a claim upon which relief can be granted.

The Report and Recommendation specifically advises Plaintiff that the failure to object to the Report and Recommendation within fourteen days of the Report results in a "waiver of the right to de novo review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report and Recommendation 6-7, ECF No. 5). The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation. Accordingly, the Court **DISMISSES** this action for failure to state a claim upon which relief can be granted.

IT IS SO ORDERED.

/s/ *George C. Smith*
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT